

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

KENNETH DUROSSEAU  
La. DOC #21140

CIVIL ACTION NO. 07-1517

VS.

JUDGE MELANÇON

WARDEN TIM WILKINSON

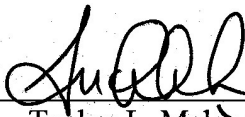
MAGISTRATE JUDGE HILL

**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

**IT IS ORDERED** that the instant second and successive petition for writ of *habeas corpus* filed pursuant to 28 U.S.C. §2254 by Kenneth Durosseau is hereby **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit for determination as to whether authorization to file a second or successive petition in accordance with 28 U.S.C. §2244(b)(3)(A) should be granted.

**THUS DONE AND SIGNED** in Lafayette, Louisiana, on this 12<sup>th</sup> day of October, 2007.

  
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Tucker L. Melançon  
UNITED STATES DISTRICT JUDGE